



**Functional Series 400
Personnel**

INTERIM UPDATE 09-01

SUBJECT: Pay and Leave Procedures for Two Holidays -- Martin Luther King, Jr.'s Birthday and Inauguration Day, 2009

NEW MATERIAL: This IU describes the U.S. Office of Personnel Management's special pay and leave procedures for Federal employees in the immediate Washington, D.C. area for two holidays in January 2009 -- Martin Luther King, Jr.'s Birthday, on Monday, January 19, 2009, and Inauguration Day, on Tuesday, January 20, 2009. The two holidays fall within Pay Period 2 which begins on January 18, 2009, and ends on January 31, 2009.

EFFECTIVE DATE: 01/12/09

POLICY

USAID/General Notice
OHR/PPIM and M/CFO
01/12/2009

Subject: Pay and Leave Procedures for Two Holidays-- Martin Luther King, Jr.'s Birthday and Inauguration Day, 2009

Federal employees in the immediate Washington, D.C. area will have two holidays in January 2009 -- Martin Luther King, Jr.'s Birthday, on Monday, January 19, 2009, and Inauguration Day, on Tuesday, January 20, 2009. The two holidays fall within Pay Period 2 which begins on January 18, 2009, and ends on January 31, 2009.

The U.S. Office of Personnel Management has provided Federal agencies with the following special pay and leave procedures for these holidays:

1. Pay and Leave Procedures for Martin Luther King, Jr.'s Birthday

The Birthday of Martin Luther King, Jr. is a legal public holiday for pay and leave purposes for all Federal employees worldwide. Regular pay and leave rules for holidays apply. Full-time and part-time employees who are regularly scheduled to work on January 19th are entitled to the same pay they otherwise would receive on a regular

workday. Those who are regularly scheduled to work on January 19, 2009, are entitled to time off with pay, and those who must work that day are entitled to holiday premium pay, if otherwise eligible for premium pay, for hours worked within their regularly scheduled basic workweek. Employees who are not regularly scheduled to work on January 19, 2009, are entitled to a day off in lieu of the holiday.

Employees must be in a pay status or a paid time off status (i.e., leave or compensatory time off) on their scheduled workdays either before or after the King holiday in order to be entitled to pay for that day if they do not work.

2. Pay and Leave Procedures for Inauguration Day

This year, Inauguration Day, falls on Tuesday, January 20, 2009. It is a legal holiday for pay and leave purposes only for Federal employees who work in the "Inauguration Day area" (defined in 5 U.S.C. 6103(c) as the District of Columbia, Montgomery or Prince George's Counties in Maryland, Arlington, or Fairfax Counties in Virginia, and the cities of Alexandria, Falls Church, and Fairfax in Virginia.)

The Inauguration Day holiday is administered differently than other Federal holidays. It is limited to employees with a qualifying work connection to the designated geographic area on Inauguration Day as follows:

(a) The Inauguration Day holiday applies to employees with an official worksite in the Inauguration Day area, unless they are scheduled to be working outside the Inauguration Day area due to official duty away from the official worksite, official travel, or telework.

(b) The Inauguration Day holiday also applies to employees with an official worksite outside the Inauguration Day area who are scheduled to be working in the Inauguration Day area due to official duty away from the official worksite, official travel, or telework.

Full-time and part-time employees to whom the Inauguration Day holiday applies and who are regularly scheduled to work on January 20th are entitled to time off with pay, and those who must work that day are entitled to holiday premium pay for hours worked during their regular non-overtime workday, if otherwise eligible to receive premium pay. Unlike other Federal holidays, employees who are not regularly scheduled to work on January 20, 2009, are not entitled to a day off in lieu of the holiday.

Holiday pay and leave procedures do not apply to an employee who is on official duty or travel status away from the Washington, D.C. area, even if his or her official worksite is in the designated Inauguration Day area. For those employees, Inauguration Day is treated as a regular workday.

The Inauguration Day holiday applies to a teleworker if he/she is scheduled to telework on Inauguration Day at a location within the Inauguration Day area. Supervisors may

approve an excused absence for telework employees whose official worksite is in the Inauguration Day area but who are scheduled to telework at a location outside the area on that day, given the closure of the employee's office.

Employees must be in a pay status or a paid time off status (i.e., leave or compensatory time off) on their scheduled workdays either before or after Inauguration Day in order to be entitled to pay for that day if they do not work.

3. Pay and Benefit Procedures for Non-Career Appointees who Resign on Inauguration Day, January 20, 2009

OPM has provided agencies with a special reminder of the pay policies in effect that will apply to non-career appointees including Executive Schedule (EX), non-career Senior Executive Service (SES), and Administratively Determined (AD) employees who resign effective at noon on January 20, 2009.

Since holiday pay depends upon the number of hours scheduled for work, affected employees are entitled to compensation only for periods of time during which their Federal appointments are in effect. For example, a non-career member of the SES who works in the Inauguration Day area is entitled to a holiday. The employee is entitled to pay only for the hours he or she would have been scheduled to work (but for the holiday) until noon, eastern standard time (EST), on January 20, 2009. An Executive Schedule official (e.g., Assistant Administrator) does not have a scheduled tour of duty and does not earn or use leave. OPM guidance indicates that it is appropriate to pay these individuals a half day's pay on January 20, 2009; i.e., four hours of work on that day.

An employee who resigns receives a full day of retirement credit for any partial day of employment. The employee's Federal Employees Health Benefit coverage continues until the end of the pay period in which the resignation occurred. An additional thirty one (31) days of coverage is then continued at no charge.

4. Pay and Leave Procedures for Employees on Alternative Work Schedules

Since the two holidays on January 19 and 20, 2009, both fall within Pay Period 2, the holidays will affect employees who are on alternative work schedules in the Inauguration Day area. By law, full-time employees on flexible work schedules are entitled to eight (8) hours of pay when they do not work on a holiday.

For a full-time employee on a 5/4-9 flexible schedule (i.e., this applies to USAID/W employees other than OIG employees) the employee must make arrangements to work an extra hour on another regularly scheduled workday or take annual leave, or using earned compensatory time off in order to fulfill the 80-hour biweekly work requirement. Employees who wish to work an additional hour should request their timekeeper to change their work schedule in webTA to accommodate a 10-hour workday.

For example, in pay period 2, for the first week, an employee reports: 8 Holiday, 8 Holiday, 10 Regular Duty (RD), 9 RD, and 0 (RDO). For the second week, employee reports: 9 RD, 9 RD, 9 RD, 9 RD, and 9 RD. This example shows how the employee fulfills his or her 80-hour biweekly requirement. If the employee elects to work the extra hour as in the example above, the timekeeper will need to change the employee's T&A Profile under Alternative Schedule to "Variable Workweek," in order for webTA to accept the additional hour on Inauguration Day.

For Pay Period 2, employees under the Flexible 5/4-9 work schedule may elect to convert back to the standard 8-hour day or remain under their current AWS schedule. Employees who wish to convert back to the standard 8-hour workday should request their timekeeper to change their work schedule in webTA for pay period 2.

Employees who have a regular day off (RDO) occurring on Monday, January 19, 2009, should change their day off to another workday in Pay Period 2. For those employees who have an RDO occurring on Tuesday, January 20, 2009, they are not entitled to a day off in lieu of the holiday. However, Agency policy permits employees to request a temporary change in their RDO in advance of the workweek in which their day off occurs subject to supervisory approval. Employees whose RDO falls on Tuesday, January 20, 2009, may request to take another day off in the pay period, if approved by their supervisor.

5. WebTA Procedures

Please note that webTA is programmed to show Inauguration Day, January 20th, as a Federal holiday. If employees are not in the defined Inauguration Day area on that day (see discussion above with regard to TDY and telework employees), they will have to change their timecards in webTA to report the day as "regular duty," or leave as appropriate. Please be sure to delete the Federal holiday hours for this day.

Also please note that, since both the Monday and Tuesday holidays fall on the days that we normally would be validating and certifying timecards for pay period 01, we are moving the deadline for certification for this pay period only to noon EST Friday, January 16, 2009. All timecards must be completed and certified by that time to guarantee that employees are paid properly.

This Notice will be posted on the "Leave Administration" Web page of the Office of Human Resources (OHR) Web site.

Points of Contact: Questions regarding the pay and leave guidance should be directed to Jennifer C. McKelvey, OHR/PPIM, on (202) 712-5233. Questions regarding WebTA should be directed to Angela Burkard, M/CFO/P, on (202) 712-0225.

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